

## B. EXPLANATION OF EVENTS

The following paragraphs describe the activities listed in the sequence of events shown in Section II, Paragraph A.

### 1. Issue of RFP

This RFP is being issued by the Agency and the State Purchasing Division of the General Services Department. Additional copies of the RFP can be obtained from the Procurement Manager and from the SPD web site-[www.state.nm.us/spd](http://www.state.nm.us/spd)- Request for Proposals.

### 2. Pre-Proposal Conference

A pre-proposal conference will be held on January 21, 2005 at eight-thirty (8:30) A.M. Mountain Standard Time at New Mexico Medical Board Conference Room, 2055 South Pacheco Street, Suite 400, Santa Fe, New Mexico. Potential offerors are encouraged to submit written questions in advance of the conference to the Procurement Manager (see Section I, Paragraph D). The identity of the organization submitting the question(s) will not be revealed. Additional written questions may be submitted at the conference. All written questions will be addressed at the conference or will be researched with a written response provided within 5 days. A public log will be kept of the names of potential offerors that attend the pre-proposal conference. Attendance at the conference is not a prerequisite for submission of a proposal.

### 3. Distribution List Response Due

Potential offerors should hand deliver or return by facsimile or by registered or certified mail, the "Acknowledgment of Receipt of Request for Proposals Form" that accompanies this document (See Appendix A) to have their organization placed on the procurement distribution list. The form should be signed by an authorized representative of the organization, dated and returned by 4:00 p. m. Mountain Standard Time on January 21, 2005.

The procurement distribution list will be used for the distribution of written responses to questions and any RFP amendments. Failure to return this form shall constitute a presumption of receipt and rejection of the RFP, and the potential offeror's organization name shall not appear on the distribution list.

### 4. Deadline to Submit Additional Written Questions

Potential offerors may submit additional written questions as to the intent or clarity of this RFP until close of business on January 27, 2005. All written questions must be addressed to the Procurement Manager. (See Section I, Paragraph D).

### 5. Response to Written Questions/RFP Amendments

Written responses to written questions and any RFP amendments will be distributed on February 04, 2005 to all potential offerors whose organization name appears on the procurement distribution list. An Acknowledgment of Receipt Form will accompany the

distribution package. The form should be signed by the offeror's representative, dated, and hand delivered or returned by facsimile or by registered or certified mail, by the date indicated thereon. Failure to return this form shall constitute a presumption of receipt and withdrawal from the procurement process.

Therefore, offeror's organization name shall be dropped from the procurement distribution list. Additional written requests for clarification of distributed answers and/or amendments must be received by the Procurement Manager no later than seven (7) days after the answers and/or amendments were issued.

#### 6. Submission Of Proposal

ALL OFFEROR PROPOSALS MUST BE PHYSICALLY RECEIVED FOR REVIEW AND EVALUATION BY THE PROCUREMENT MANAGER OR HIS DESIGNEE NO LATER THAN 3:00PM Mountain Daylight Time on March 15, 2005. Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal. Telecommunications Relay Telecommunications relay services (TRS) Request for Proposal. Proposals submitted by facsimile will not be accepted. A public log will be kept of the names of all Offeror organizations, which submitted proposals. Pursuant to Section 13-1-116 NMSA 1978 of the Procurement Code, the contents of any proposal shall not be disclosed to competing Offerors during the evaluation process.

#### 7. Proposal Evaluation

The evaluation of proposals will be performed by an Evaluation Committee composed of representatives from the Commission for Deaf and Hard of Hearing (CDHH), the General Services Department (GSD) and consumers from the community. This process will take place March 15, 2005. During this time, the Procurement Manager at his option, may initiate discussions with Offerors who submit acceptable proposals, but proposals may be accepted and evaluated without such discussion. The Offerors SHALL NOT initiate discussions.

#### 8. Selection Of Finalists

The Evaluation Committee will select and notify the finalist Offerors on March 25, 2005. Only finalists will be invited to participate in the subsequent steps of the procurement. The schedule for the oral presentations/demonstrations will be determined at this time.

#### 9. Best and Final Offers from Finalists

Finalist Offerors may be asked to submit revisions to their proposals for the purpose of obtaining best and final offers by March 28, 2005. Best and final offers may be clarified and amended at the finalist Offeror's oral presentation and product demonstration.

#### 10. Oral Presentation/Demonstration by Finalists

Oral presentations will be held April 04, 2005. Finalist Offerors will be required to present their proposals to the Evaluation Committee. The Procurement Manager will schedule the time for each Offeror presentation. All Offeror presentations will be held at the New Mexico Medical Board Conference Room, 2055, South Pacheco St. Suite 400, Santa Fe,

New Mexico. Each presentation will be limited to three hours in duration. Live demonstrations of the Offerors proposed TRS SYSTEM will be required. Any special facility requirements should be requested in writing, from the Procurement Manager, not less than seven (7) working days prior to the scheduled live demonstration. All associated costs will be borne by the Offeror. The Procurement Manager may require selected member's of the Offerors staff to be in attendance at the presentation for the purpose of answering technical and related questions. The names of staff members that are required to be present shall appear in the notification letter.

11. Finalize Contract

The contract will be finalized with the most advantageous Offeror April 18, 2005. In the event that mutually agreeable terms can not be reached within the time specified, the Department reserves the right to finalize a contract with the next most advantageous Offeror without undertaking a new procurement process.

12. Contract Award

After review of the Evaluation Committee Report and the recommendation of the GSD Management, the State Purchasing Agent will award the contract on April 21, 2005. This date is subject to change at the discretion of the State Purchasing Agent. The contract award shall be made to the Offeror or Offerors whose proposal is most advantageous, taking into consideration the evaluation factors set forth in the RFP. The most advantageous proposal may or may not have received the most points. The contract award may be subject to the successful completion of contract negotiations and appropriate State approvals.

13. Protest Deadline

Any protest by an Offeror must be in conformance with Section 13-1-172 NMSA 1978 and applicable procurement regulations. The fifteen (15) day protest period shall begin on the day following the contract award and will end as of 5:00 p.m. Mountain Daylight Time on May 07, 2005. Protests must be written and must include the name and address of the protester and the request for proposals number. It must also contain a statement of grounds for protest including appropriate supporting exhibits, and it must specify the ruling requested from the **State Purchasing Agent**. Protests received after the deadline will not be accepted. The protest must be addressed and delivered as follows:

**Mr. Michael C. Vinyard**  
**State Purchasing Agent**  
**Joseph M. Montoya State Building, Room 2016**  
**1100 St. Francis Drive, Santa Fe, New Mexico 87505**  
**Mailing Address:**  
**P.O. Box 26110**  
**Santa Fe, New Mexico 87502-0110**

## C. GENERAL REQUIREMENTS

This procurement will be conducted in accordance with the State Purchasing Division's procurement regulations 1 NMAC 5.2.

### 1. Acceptance of Conditions Governing the Procurement

Offerors must indicate their acceptance of the conditions governing the procurement section in their letter of transmittal. Submission of a proposal constitutes acceptance of the Evaluation Factors contained in Section VI of this RFP.

### 2. Incurring Cost

Any cost incurred by the Offeror in preparation, transmittal or presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror.

### 3. Contractor Responsibility

The Contractor shall be solely responsible for performance under the contract.

### 4. Subcontractors

Subcontracting of telecommunications relay services is permissible with the prior approval of the Office of Communications. Use of subcontractors for telecommunications relay services must be clearly explained in the proposal, and all subcontractors must be identified by name. In any case, the prime contractor shall be wholly responsible for the entire performance whether or not subcontractors are used.

### 5. Amended Proposals

An Offeror may submit an amended proposal before the due date. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The Procurement Manager will not merge, collate or assemble proposal materials.

### 6. Rights to Withdraw Proposal

Offerors will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The Offeror must submit a written withdrawal request signed by the Offeror's duly authorized representative(s) addressed to the Procurement Manager. Withdrawal requests received after the deadline for receipt of the proposals are governed by applicable regulations.

## 7. Proposal Offer Firm

Responses to this RFP, including proposal prices, will be considered firm for ninety (90) days, after the due date for receipt of proposals or sixty (60) days after receipt of a best and final offer if one is submitted.

## 8. Disclosure of Proposal Contents

The proposals will be kept confidential until, a contract is awarded by the State Purchasing Agent at a public meeting. At that time, all proposals and documents pertaining to the proposals will be open to the public, except for material, which is proprietary or confidential. The Procurement Manger will not disclose or make public any pages of a proposal on which the Offeror has stamped or imprinted "proprietary" or "confidential" subject to the following requirements. Such data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. Confidential data is normally restricted to confidential financial information concerning the Offeror's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, 57-3A-1 to 57-3A-7 NMSA 1978. The Offeror accepts full responsibility to insure that no changes are made to the RFP. In the event of conflict between a version of the RFP in the Offeror's possession and the version maintained by the SPA, the version maintained by the SPA shall govern.

## 9. No Obligation

This procurement in no manner obligates the State of New Mexico or any of its agencies to the eventual rental, lease, purchase, etc., of any equipment, software, or services offered until a valid written contract is approved by the State Purchasing Agent and other appropriate authorities.

## 10. Termination

This RFP may be canceled at any time and any and all proposals may be rejected in whole or in part when the Agency determines such action to be in the best interest of the State of New Mexico.

## 11. Sufficient Appropriation

Any contract awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations do not exist. Such termination will be effected by sending written notice to the contractor. The Agency's decision as to whether sufficient appropriations and authorizations are available will be accepted by the contractor as final.

## 12. Legal Review

The Agency requires that all offerors agree to be bound by the General Requirements contained in this RFP. Any offeror concerns must be promptly brought to the attention of the Procurement Manager.

### 13. Governing Law

This procurement and any agreement with offerors that may result shall be governed by the laws of the State of New Mexico.

### 14. Basis for Proposal

Only information supplied by the Agency in writing through the Procurement Manager or in this RFP should be used as the basis for the preparation of offeror proposals.

### 15. Contract Terms and Conditions

The contract between the Agency and a contractor will follow the format specified by the Agency and contain the terms and conditions set forth in Appendix B, "State Of New Mexico Services Contract for State Telephone Relay System Maintenance And Services". However, the Agency reserves the right to negotiate with a successful contractor provisions in addition to those contained in this RFP. The contents of this RFP, as revised and/or supplemented, and the successful contractor's proposal will be incorporated into the contract. Should an offeror object to any of the Agency's terms and conditions, as contained in this Section or in Appendix B, that offeror must propose specific alternative language that would be acceptable to the Agency. General references to the offeror's terms and conditions or attempts at complete substitutions are not acceptable to the Agency and will result in disqualification of the offeror's proposal. Offerors must provide a brief discussion of the purpose and impact, if any, of each proposed change followed by the specific proposed alternate wording.

### 16. Offeror's Terms and Conditions

Offerors must submit with the proposal a complete set of any additional terms and conditions which they expect to have included in a contract negotiated with the Agency.

### 17. Contract Deviations

Any additional terms and conditions, which may be the subject of negotiation, will be discussed only between the Agency and the selected offeror and shall not be deemed an opportunity to amend the offeror's proposal.

### 18. Offeror Qualifications

The Evaluation Committee may make such investigations as necessary to determine the ability of the offeror to adhere to the requirements specified within this RFP. The Evaluation Committee will reject the proposal of any offeror who is not a responsible

offeror or fails to submit a responsive offer as defined in Sections 13-1-83 and 13-1-85 NMSA 1978.

19. Right to Waive Minor Irregularities

The Evaluation Committee also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the same mandatory requirements and the failure to do so does not otherwise materially affect the procurement. This right is at the sole discretion of the Evaluation Committee.

20. Change in Contractor Representatives

The Agency reserves the right to require a change in contractor representatives if the assigned representatives are not, in the opinion of the Agency, meeting its needs adequately.

21. Notice

Notice - The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and misdemeanor Criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kick-backs.

22. Agency Rights

The Agency reserves the right to accept all or a portion of an offeror's proposal.

23. Ownership of Proposals

All documents submitted in response to the RFP shall be returned to the offerors after the expiration of the protest period with the following exception. One complete copy of the selected offeror's proposal including the Best and Final Offer, if one was submitted, shall be placed into the procurement file. Those documents will become the property of the Agency and the State of New Mexico.

24. Offeror Knowledge.

Offerors are responsible for knowing the condition of switch rooms and equipment contained in them. Claims for relief from contract requirements or for additional compensation at any time which are based upon offeror lack of knowledge or awareness of conditions shall not be considered by the Agency. To facilitate offerors gaining such knowledge, the Agency shall prepare site inventory work sheets which will be made available for use during site visits or upon request.

### III. RESPONSE FORMAT AND ORGANIZATION

#### A. NUMBER OF RESPONSES

Offerors may submit only one (1) proposal with three pricings. Responses consisting solely of marketing material will be deemed non-responsive and rejected on that basis. The evaluation committee will not collate, merge, or otherwise manipulate the Offeror's proposals.

#### B. NUMBER OF COPIES

Offerors shall deliver one (1) original and five (5) identical copies of their proposal in one Binder.

#### C. PROPOSAL FORMAT

All proposals must be typewritten or computer generated on standard 8 ½" x 11" paper (larger paper is permissible for charts, spreadsheets, etc.) and placed within binders with tabs delineating each section. Each binder must be physically separate.

A CD disk with the entire proposal in file must be included in a holder in the original copy of Binder. This disk must be "read only" prepared. State uses Microsoft Office.

##### 1. Proposal Organization

The proposal in each binder must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated

- a. Letter of Transmittal
- b. Table of Contents
- c. Proposal Summary (optional)
- d. Response to Technical Specifications
- e. Response to Business Specifications
- f. Complete Cost Response Form
- g. Response to Agency's Terms and Conditions
- h. Offeror's Additional Terms and Conditions
- i. Other Supporting Material

Within each section of their proposal, offerors should address the items in the order in which they appear in this RFP. All forms provided in the RFP must be thoroughly completed and included in the appropriate section of the proposal. All discussion of proposed costs, rates or expenses must occur only in binder 2 with the cost response form.

Any proposal that does not adhere to these requirements may be deemed non-responsive and rejected on that basis.



The proposal summary may be included by offerors to provide the Evaluation Committee with an overview of the technical and business features of the proposal; however, this material will not be used in the evaluation process unless specifically referenced from other portions of the offeror's proposal.

Offerors may attach other materials which they feel may improve the quality of their responses. However, these materials should be included as items in a separate appendix.

## 2. Letter of Transmittal

Each proposal must be accompanied by a letter of transmittal. The letter of transmittal MUST:

- a. Identify the submitting organization;
- b. Identify the name and title of the person authorized by the organization to contractually obligate the organization;
- c. Identify the name, title, e-mail and telephone number of the person authorized to negotiate the contract on behalf of the organization;
- d. Identify the names, titles, e-mail and telephone numbers of persons to be contacted for clarification;
- e. Explicitly indicate acceptance of the Conditions Governing the Procurement stated in Section II, Paragraph C.1.
- f. Be signed by the person authorized to contractually obligate the organization;
- g. Acknowledge receipt of any and all amendments to this RFP.

## 3. Format Standard

Offerors responses to the required standard section must address each item completely. Failure to specifically state compliance with any mandatory item may be reason for rejection of a submitted proposal. Provide responses for each item.

A response format whereby an offeror repeats the item and follows immediately with the response is strongly desired.

## IV SPECIFICATIONS

The contractor shall be responsible for the implementation and operation of the state's telecommunications relay service and associated equipment 24 hours a day, for all 365 days a year and a viable contingency plan must be in place to prevent any significant disruptions or impairments to services in the event of adverse or man-made or natural occurrences. To create a TRS that fulfils the purpose described in the State of New Mexico statute 54 and adheres to all federal regulations presented in FCC Docket Number 98-67 and TRS Rules of September 16, 2004.

The contractor will be responsible for its facilities, telecommunications equipment, software and operating staff. The transmission circuits used shall

meet or exceed FCC interexchange performance standards for circuit loss and noise.

All telecommunication consoles will be capable of receiving and transmitting in TurboCode, E-TurboCode, Baudot and ASCII codes. It is also required that relay systems be capable of automatically identifying inbound TTY signals as either ASCII or Baudot. The Department wishes to select a contractor with successful experience in operating a TRS providing a level and consistent service, supporting all FCC service and performance regulations applicable Telecommunications Relay Services.

This procurement is restricted to establishment and operation of an intrastate Telephone Relay Service for the State of New Mexico. The contractor is required to cooperate with local exchange carriers as required by the Department.

This section contains MANDATORY STANDARDS and is divided into four parts reflecting the regulated performance standards required of TRS providers by the Federal Communications Commission. They are:

- a. Operational
- b. Technical
- c. Functional
- d. Management Plan

## V OPERATIONAL, TECHNICAL, AND FUNCTIONAL STANDARDS

### A. Performance Measurement Theme To Be Used Throughout The Proposal

It is the intent of this procurement that any reference to performance metrics such as response times are to be measured "end to end". For example:

#### 1. Call Answering,

After reaching the relay center, 85% of all calls are answered in 9.9 seconds or less, on daily average, at any and all times during a twenty-four (24) hour period. In this case the response times, end to end, is measured from the time the call is received at the TRS until the CA's console goes off hook. Performance is measured this way because it is our interpretation that the FCC's performance standards are requested in the context of those people using the TRS. These people are only exposed to "end to end" response and it is these people the TRS is serving. Therefore all performance measurements will be complete end to end and inclusive of the aggregate of any and all processing or queuing that is part of the activity.

User will be able to access the relay through three (3) telephone numbers. One shall be an 800 number for voice, one 800 number for TTY and the FCC required 711 number. These numbers will be the numbers currently in use so that existing directories and publications stay correct and New Mexico users do not have to learn or program new access numbers for relay.

All metrics will be to the benefits of people with hearing and speech disabilities and those without who use the relay.

#### 2. FCC REGULATIONS

ALL MINIMUM STANDARDS AND REGULATIONS RELATING TO TRS ADOPTED BY THE FCC OR REGULATIONS CODIFIED BY FCC ARE HEREBY INCORPORATED BY REFERENCE AS MINIMUM STANDARDS REQUIRED IN THE CONTEXT OF THIS RFP, WHETHER OR NOT SAID STANDARDS ARE SPECIFICALLY MENTIONED, NAMED, OR REFERRED TO IN THIS RFP.

#### 3. Session Minutes

Compensation for the services shall be based on the time when all three parties are connected during a relay call, and calculated on a per minute basis for usage. The third party or call party can also include answering machines, voice mail, voice menus, etc. These shall be considered Session Minutes. Start-up, interim times between calls, and wrap -up times where only the relay agent and one other party are connected shall not be included in the session

minutes. Session Minutes must be timed to the tenth of a second (or less) for each relay call. The total for the 24-hour section can be rounded up to the nearest second.

#### 4. Procurement Objectives

In Issuing This RFP, The General Services Department Is Pursuing the Following Objectives:

##### a. Transition

To contract with a qualified telecommunications company to seamlessly continue providing TRS beginning on July 1, 2005 and thereafter to operate an unrestricted, statewide, fully functional, state-of-the-art, telecommunications relay service, to be fully and completely provided by the successful contractor. The contract period will be for an initial one three (3) year with two, two (2), renewals at the option of the State. In no case will be contract exceed seven (7) years.

##### b. Flexible Feature User Friendly Relay Service

To establish a telecommunications relay service that is flexible and responsive to service demands and is adaptable for easy implementation of technological advances as they become available.

##### c. Reporting System

To establish a fully automated reporting system that provides detailed information on usage patterns, busy times, originating number, number of calls not processed due to busy signals, length of calls, total number of calls handled, and other pertinent information needed to manage the service and for periodic assessment of the level of access and quality of the service.

##### d. Forecast Change

To establish procedures for forecasting changes in service demand.

##### e. Cost-effective Operation

To establish procedures to maximize service delivery/cost ratios which permit the most cost-effective operation of the Relay Service, without negatively affecting quality of service.

##### f. Information Referral and Outreach

To establish and maintain an information, referral, and outreach component which promotes the use of the Relay Service, and provides information about the availability of the Relay Service to the public.

g. Relay Operational Reference:

The purpose of the Relay Center is to provide a path for telephone communications between standard phone users and TTY (Telecommunications Device for the Deaf) users. The standard phone user communicates with the relay operator by voice. The operator simultaneously relays the conversation verbatim (including background information) to the TTY user by typing on a TTY/computer keyboard. The operator then reads the response from the TTY user, which appears on the screen of their TTY/computer and voices it to the standard phone user.

h. Relay Session reference:

TTY User To Standard Phone User. The TTY user calls the Relay Center number using a TTY. The call is processed by an automated call distribution (ACD) system and connected to an operator. This establishes the TTY connection. The calling party tells the operator the number and name (optional) of the party they are calling. The operator then calls the standard phone user.

i. Standard Phone User To TTY User:

The standard phone user calls the Relay Center number. The call is handled by the ACD system and connected to an operator at a voice terminal. The calling party tells the operator the number and name of the party they are calling. The operator dials the number of the TTY user to establish the TTY connection. The conversation proceeds back and forth as described in Paragraph 4.A above.

j. Outreach and Advertising

The successful contactor shall state its level of commitment. This expense is a separate recoverable cost and must be included in the total price bid.

## VI. SYSTEM STANDARDS

### A. Equipment, Software, Facilities, and Transmission Circuits (All Mandatory)

The successful contactor shall operate the Relay Service on a turn-key basis and furnish any additional telecommunications equipment, facilities, software, staff, training, management, services, and circuits as needed.

The transmission circuits must meet or exceed FCC and inter-exchange carrier performance standards.

The Offerors proposal must describe the method for reaching regionally restricted 800 numbers, in addition to the business office of local telephone companies having special prefixes.

Telecommunications equipment, including terminals, shall be capable of receiving and transmitting in both Baudot and ASCII codes.

The successful contactor shall provide a relay service capable of automatically identifying incoming TTY signals as either Baudot or ASCII.

Terminals, keyboards, and modems must be compatible with TTY devices in service and must receive (or access), and handle TTY calls at any Baud rate generally in use. These devices must also receive, access, and communicate with computers at any speed generally in use.

Modems must be auto-answer and auto-switchable at these speeds.

All equipment proposed by the successful contactor must incorporate the latest operationally proven technology and features such as Automatic Number Identification (ANI), and other service enhancements which increase the functional equivalency of the Relay Service.

Considering the rapid growth of technology in the telecommunications industry, the contractor is strongly encouraged to take advantage of innovations to improve relay New Mexico. Additionally, the contractor is encouraged to present new features or services that may enhance the quality of the services to the relay. Additional technology will be come available and is subject to change.

### B. System Design and Staffing

The Offerors proposal shall outline how the proposed relay service will be progressively modified to adapt to improvements in technology and to incorporate state-of-the-art relay service technology upgrades.

1. The Offerors proposal shall include a conceptual floor plan of the Relay Center and identify each functional area and equipment type.

The Offeror shall supply all staff and the Offerors proposal shall include staffing patterns, by classification of employee, for the following monthly call columns:

1. Completed Calls/Month 18,022 (\*)
  2. An average call length of 4.63 (\*) minutes shall be assumed.
- (\*) Actual NM monthly averages (July 1, 2003 – October 1, 2004)

C. Service Demand and Capacity.

The Offeror's proposal shall discuss the ability to address changing demands for service for the range of call volumes and the average length of call specified. The discussion shall include, but not be limited to, traffic analysis, and trunking capacity, and number of operator workstations, staffing, facilities and equipment, overflow in from other states and calls handled by other centers on the Offerors network. The discussion shall indicate the time lag required to adjust for increases or decreases in service demand and describe how the Offeror will maintain service standards specified in this RFP.

D. Communications

The relay shall be capable of communication in both **ASCII, Baudot , and Turbo Code format.**

E. Minimum speed of answer

Call Answering. After reaching the relay center, 85% of all calls are answered in 9.9 seconds less, on a daily average, at any time during the day.

99% of all calls must be answered in 60 seconds or less. ASA shall be measured from the time the call hits the switch to the point at which an operator is dedicated to the call. Successful contactor shall measure by sampling the ASA at a minimum of every 30 minutes for each 24 hours period.

F. Sampling

The service shall be measured by sampling the average answer time at a minimum of every 30 minutes for each 24-hour period.

G. Delayed Call Announcer

No call shall be answered by a delayed call announcer.

H. No User Restrictions

No restriction shall be placed on the length or number of calls placed by

callers through the TRS. At any time of the day, there shall be no limit on consecutive calls. Describe in detail how you will meet this requirement.

I. Equal Access

Equal Access to inter-exchange carriers. Users will have access to their chosen Inter-exchange carrier and to all other operator services, to the same extent that such access is available to people without hearing or speech impairments. The service shall be designed to include local, intra LATA toll that originates and terminates in New Mexico. Offerors must provide a TRS network design document defining the quantity and types of inbound and outbound circuits necessary to complete the projected number of calls.

Trunk/line configuration must provide a P.01 grade of service at any and all times.

The Relay Center must provide:

a. Voice Carryover (VCO)

The capability to allow a customer who is unable to hear on the phone, but has voice capabilities, to speak directly to a standard phone user via the Relay. The operator will type the standard phone user's conversation to the VCO user.

b. Hearing Carryover (HCO)

The capability to allow a speech disabled customer to listen directly to a standard phone user via the Relay. The operator will voice the HCO user's conversation as it is typed.

c. VCO to VCO

The capability to allow a VCO user to communicate with another VCO user via the Relay. The operator will type the spoken words of each VCO user.

d. HCO to HCO

The capability to allow a HCO user to communicate with another HCO user via the Relay. The operator will voice the typed words of each HCO user.

e. VCO to HCO

The capability to allow a VCO user to talk to an HCO user via the Relay. The HCO user shall hear the VCO users voice and the VCO user will see the HCO users typed conversation.



## f. HCO to TTY

The capability to allow a HCO and TTY user to communicate via the Relay. The operator will voice the TTY user's conversation to the HCO user. The TTY user will see the HCO users typed conversation.

## g. VCO to TTY

The capability to allow a VCO user and TTY user to communicate via Relay. The operator will type the VCO user's words to the TTY user and the TTY user will type to the VCO user.

## h. Dedicated Voice Carry Over (VCO) 800 number

A 1-800 number dedicated to VCO calls will be established. VCO is established for consumers who have difficulty hearing, but prefer to use his/her own voice to communicate. (i.e., The CA does not voice for the consumer, instead the consumer speaks for him/herself and then receives the reply in text form on the TTY). A 1-800 number dedicated to VCO calls would eliminate this delay.

## i. Speech to Speech

Dedicated Speech to Speech (STS) 800 number - TRS must provide service functionally equivalent to voice telephone service. This feature will enable persons with speech disorders to utilize TRS. A specially trained CA who understands the speech patterns of various speech disabilities would repeat what is spoken. A designated 1-800 number will be required for this feature.

## j. Spanish to Spanish

The successful contactor shall provide Spanish to Spanish relay. Just as the voice telephone network allows for a Spanish-speaking user to call a parent and speak in Spanish, TRS users should have the same functional equivalency. As the FCC has previously noted, Spanish is the most widely spoken non-English language in the United States. The number of Spanish speaking persons is significantly larger than any other non-English speaking population and is rapidly growing.

## k. Pay Telephone Calls

The TRS will allow users to make a call from a coin telephone at either no charge or by using a calling card or a prepaid (debit) card. Local calls will be provided at no cost to the TRS coin-telephone user. Toll and long distance calls will be charged to either a calling card or prepaid card, depending on the options offered by the local Phone Company and the TRS provider. A caller will dial the regular

TRS number from the pay telephone. Once the TRS center is reached, the caller will give the operator the number she/he wants to call. If the number is a local call from the pay telephone, the call will be completed at no cost. If the call is a toll or long distance call, the TRS caller will give the operator both the number to call and his/her calling card number or pre-paid card number. The operator will verify the number and connect the call. The operator will ask for the dialing instructions, which are listed, on the prepaid card. The operator will tell the user the amount of minutes/units left on the card. The call is then connected, and the Relay call begins. The successful contactor shall specify pre-paid cards that are accepted. Offeror will submit with their proposal a list of all acceptable debit cards. The successful contactor will provide an updated list of acceptable cards semi-annually.

i. Operator Services

The successful contactor will provide standard operator services consistent with those provided to standard phone users, including directory assistance, via the Relay.

m. Permanent Customer Preference Identification (Branding)

The successful contactor shall provide customer preference identification. When the customer calls into the Relay center, they may ask for permanent identification as a TTY, Voice, VCO, HCO, or ASCII users so they are automatically answered in that mode for phone systems compatible with this feature.

n. Use of ANI

Automatic Number Identification (ANI) technology will be utilized so that no caller is required to give his/her originating calling number, except in instances where ANI information is not available from the local exchange carrier (LEC).

o. 900 Calls

The successful contactor proposal must describe the method for accessing 900 number. The successful contactor must describe the procedure that will be used to implement this service, including how calls from a line that has 900 blocking will be identified and handled. The successful contactor must include a detailed billing procedure for such calls. The method may include establishing a separate 900 incoming number. By establishing a 1-900 line NMRN will have the ability to better meet the demands of equal access and defer billing to the consumer. The state of NM will not be responsible for a per minute charge for this 1-900 access.

p. Cellular and Personal Communications Services (PCS) Phone Calls

The Relay center must be capable of handling wireless calls. The successful contactor must include the procedure and methodology to determine the call types and shall document the amount of time necessary to determine call types. The Offeror must be capable of billing the call appropriately.

q. 711 Service

The TRS must be accessible by dialing 7-1-1.

r. Video Relay Services (VRS)

The successful offer must have the capability to maintain up to fifteen (15) public access VRS Terminals. All costs associated with these terminals will be reimbursed.

s. Captioning Telephone VCO Services Two line Capital

This is an interactive captioning service that utilizes voice-reorganization technology. The user dials the called party's telephone number using a captioning telephone, and is automatically connected to the captioning services. A specially trained agent at the service vocally transcribes everything the other party says which appears as text on the captioning telephone. The user is also able to hear the voice of the called party. This allows the user to understand everything that is said-either by hearing it or reading it, or both. The successful offeror will distribute up to 400 phones per year and will be reimbursed at cost.

J. Operator Assistance

CAs are not expected to provide directory assistance. The callers are given the toll-free number for Operator Services for the Deaf. Offerors are encouraged to include in their proposal the provision of operator assistance for the hearing and speech impaired users of the relay. This service would provide all of the standard operator services available to callers using TTYs. Offerors shall specify that callers pay rates no greater than the rates for functionally equivalent voice communications services. Describe in detail how directory assistance service and rates will be functionally equivalent to voiced calls to directory assistance.

1. Intrastate Long Distance Billing

Intrastate long distance and toll calls placed through the TRS shall be billed to the caller at the same rate would apply for calls placed without using the TRS.

2. Carrier of Choice

The contractor will support the relay user to chose their preferred carrier when placing toll calls through the TRS. The CA is not required to verbally offer the option, but must describe the option when asked by a relay user. An explanation of COC must be included in all appropriate relay publications.

### 3. Charges for Services

Calls to the TRS shall be at no cost to the person making the call. The contractor shall provide toll-free numbers or equivalent network access, which is accessible to callers only within New Mexico. Describe in detail how you will meet this requirement

### 4. Local Exchange Company Enhanced Services

Describe how your system would enable the caller to utilize his or her own local exchange convenience services such as three-way calling) on calls completed through the relay. This includes but is not limited to the following:

- a. Last Number Redial
- b. Frequently called numbers
- c. Call Waiting
- d. Call Blocking
- e. Third Party Calling
- f. Caller ID

### 5. Operation Hours

The relay will operate 24 hours a day, 365 days a year.

### 6. Real-Time Transmission

The relay will transmit conversations between the Text Telephone and voice caller in real-time.

### 7. Call Volume

Adequate network facilities will be provided so that under projected calling volume the probability of a busy response due to loop or trunk calling volume the probability of a busy response due to loop or trunk congestion shall be functionally equivalent to what a caller would experience in attempting to reach a party through the public switched telephone network). Utilization statistics must be provided in the proposal.

### 8. Allowable Call Blocking Rate

The average daily blockage rate for all calls will be P.01, no greater than 1 out of 100 calls (probability of a busy response due to loop or trunk queuing shall be

functionally equivalent to what a caller would experience in attempting to reach a party through the public switched telephone network). Blocking rate will be measured by sampling the number of calls being blocked at a minimum of every 30 minutes for each 24-hour period.

#### K. Technology

The relay must support the continual utilization of emerging technologies as they become practical and available. The TRS hardware and software systems must be capable of adapting to improvements in communications equipment technology and to implement these new technologies as they become available.

The Offeror shall demonstrate its systems capability to adapt to improvements in communications equipment technology and to implement state-of-the-art technology for the provision of relay service.

The Offeror must include a quantitative understanding of Section 255 Federal Telecommunication of Act of 1991 and its impact on relay hardware and software.

#### L. Redundancy Features

The relay will have adequate redundancy features including power for emergency utilization to operate normally during power failures.

Power is required for a minimum of 8 hours. The un-interruptible power system (UPS) must support:

- The switch and its peripherals
- The switch room environment (air conditioning, fire suppression, emergency lights, and alarm system)
- Operator consoles
- Operator work area emergency lights
- Call detail record (CDR) recording

The TRS provider will describe in detail how this will be met. The contractor may describe optional, cost effective alternatives, their capabilities and how they would implement them.

Switching System shall include a redundant CPU on hot stand-by (to ensure that no calls are dropped due to processor failure).

Full maintenance and administrative terminal with keyboard, screen and printer capabilities, on-line system monitoring, real time programming capabilities (which will not take the system off line), ability to perform preventive maintenance (without taking the system off line), and an inventory of spare, critical components to be maintained on site.

## M. Disaster Recovery Plan

The contractor shall provide a complete disaster recovery plan for dealing with all types of natural and man made problems. A primary requirement will be the reporting process including a detailed escalation plan which would be used to deal with the problem and restore service as soon as possible. The PLAN must have a detailed level of problem resolution with specific disaster scenarios. An example of the types of scenarios might be a rerouting plan should TRS critical circuits become non-operational. Another might be a carrier CO problem that may be included in the carriers rerouting plan.

**Report of Disasters.** A written plan must explain how and when the problem occurred, what was required to correct it, and the time and date when the New Mexico Relay resumed full operation. The report must be given to the Department within five (5) days of resumption of operation.

### 1. Intercept Messages

During system failure (not normal operation). Both voice and TTY messages will be provided during system failure.

### 2. Work Space

Communications Assistants work areas will be pleasant, well lit (natural lighting if possible), acoustically built to prevent noise interference with the CA and configured to support confidentiality.

## N. Persons with a Disability Accessibility Facilities

Facilities must be accessible to Persons with a Disability as defined by the Americans with Disabilities Act.

### 1 Public Accessibility

Facilities will not be openly accessible to the public. Adequate security will be provided 24 hours a day.

### 2. Facility Expandability

Facilities must be expandable to allow for staff growth without interruption of any CA workstations.

### 3. Hardware and Software Expandability

Hardware and Software must be expandable to allow for volume growth in any aspect without interruption of any CA workstations.

### 4. Hardware and Software Upgrades

Hardware and software must be kept within six months of the vendor's

most current offering for all systems and equipment. This includes but is not limited to hardware and software of consoles, microcomputers, mini computers, ACD, PBX, trouble reporting databases, etc.

#### O. Complaint Program

The complaint process will involve the handling of many different types of complaints, which will be broken down into two categories so that an efficient process of escalation and resolution can be applied. The two categories are:

- Call specific complaints
- Relay general complaints

#### P. Call Specific Complaints

Call specific complaints will be handled real-time by the CA and escalated through the duty supervisor.

Complaint Process recording. An incident report utility must be provided on-line, at each console and workstation in the TRS facility. Level of access shall be software managed with read, write and password protection as appropriate for the specific user logon and password (CA, supervisor, and manager)

A paper copy of each complaint will also be kept, providing an audit trail of problem resolution and will contain all detail as per specification outlined in the FCC Docket 98-67.

The Offeror will explain in detail a problem determination, isolation and resolution system. complete description of the complaint/problem tracking system will be submitted in document form as part of the Offerors proposal. This document will address the FCC and State of New Mexico requirements and will be written in clear, non-ambiguous format including any forms and graphics that will be necessary in the administration of this process.

Call specific complaints will be resolved by the provider within 60 days.

If the problem is identified as a hardware or a software issue such limitations beyond the capability of the installed equipment the contractor will have a 120 day period in which to modify the system.

#### Q. General Complaints

The resolution of general complaints will be handled as per the State of New Mexico, 41st legislature, Laws 1993, Chapter 54 Section 63-9F-9 Complaint Process specifically:

Complaints regarding the service provided by the Telecommunications Relay Service, complaints regarding the system provider or complaints pertaining to the operation and administration of the program established hereunder shall be made directly to the Commission (State of New Mexico, Commission for the

Deaf and Hard of Hearing)", or the FCC designated agency.

Complaints not resolved by the Commission shall be escalated to the FCC.

**Please Note:** The FCC docket requires that this complaint resolution process be completed within 180 days of filing.

R. Complaint Procedure

The TRS must have a well-publicized complaint procedure instantly available to any caller whose conversation is not completed by a CA. The procedure must be printed in the local exchange carrier directories as well as presented in the outreach program by the TRS.

S. Supervisor Attended Toll-Free Hotline

The TRS provider shall provide a supervisor attended toll free hotline for the handling of complaints. Any caller to the relay must be able to access a supervisor or administrator with a complaint at all times.

T. Documenting of Complaints

Complaints received by supervisors or administrators, either verbally or in writing will be documented, including their resolution, time stamped, and CA number and kept on file.

U. Complaint Regulations

Regulation mandates that a complaint, alleging violation of TRS functionality, be resolved within 180 days after the complaint is filed.

V. Outreach Plan

The FCC docket and the State of New Mexico requires that the TRS provide development and implementation of an effective measurable Outreach Program to develop public awareness of the service and provide information about TRS services to the community. The plan must provide a statistical method of measuring the effectiveness of the outreach plan implementation and a methodology for adjusting the plan based on performance.

The successful contactor shall provide outreach using the following mechanisms. Listed below are some examples:

- a. Educational Workshops
- b. Business related Workshops (i.e. Chamber of Commerce, BBB, Churches)
- c. Business Conventions (i.e. Videos, Brochures, Freebies)
- d. Media Advertising (Newspaper, videos, telephone bill inserts).
- e. Web Page accessible
- f. Captioned advertisement, on TV or closed-captioned



- g. Braille or large print for visually impaired
- h. Written material must be in English, Spanish, large print, Braille, and other formats as requested by the Department. All materials must be understandable by a majority of the communities of persons with disabilities.

The successful contactor will be responsible for ensuring that the Relay Service telephone numbers are consistently and accurately included in all telephone directories published by the local exchange carriers for New Mexico subscribers. All listings must be in bold type in all New Mexico phone directories.

The successful contactor must provide a web page accessible by all relay users having access to a computer. The website address will be hyperlinked to the Commission for the Deaf and Hard of Hearing (CDHH). The web site will have hyperlinks to the CDHH homepage.

The Commission for the Deaf and Hard of Hearing will be the authoritative organization in the direction, review and approval of the outreach program.

#### W. User Assistance

The TRS must provide a separate toll free number that users may access to receive information on how to place a relay call, tips for improving the efficiency of their TRS calls, information on new TRS service functions or changes in service. This number will be accessible to TTY users and non-TTY users. Include a description of how this number will be promoted.

#### X. Consumer Input

The TRS users shall provide input on the quality of the delivery of service. The input will include suggestions, complaints, policy review, and complements. Offeror's shall develop a plan to include the users of the system in any evaluation of the system. The plan should explain methods for quantifying consumer input and how the recommendations from these evaluations will be incorporated into the policies of the relay. The evaluation shall not come from those directly involved in operating the TRS.

#### Y. Dissemination of Information

The TRS should also provide the above effort in the dissemination of information relating to the application of emerging technologies as they become practical and available for hearing and speech impaired users and TRS Hardware and Software.

#### Z. FCC Compliant Rates

TRS users will pay rates that are no greater than the rates paid for the functionally equivalent voice communications services. Rates will meet FCC Docket 98-67. The General Services Department (GSD) will authorize a relay call discount of 50% to create call equivalency.